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Letter dated 3 August 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

I would appreciate it if the attached Philippine presidency's summary of the Security Council open debate on the role of civil society in post-conflict peace-building, held on 22 June 2004 (see annex) could be circulated as a document of the Security Council.

The summary contains the highlights of the discussion and specific suggestions and recommendation from Member States.

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Annex to the letter dated 3 August 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

Summary of the Security Council open debate on the role of civil society in post-conflict peace-building, 22 June 2004

The Security Council under the Presidency of the Philippines held an open debate on the *role civil society in post-conflict peace-building* on Tuesday, 22 June 2004. The debate was chaired b H.E. Delia Domingo Albert, Secretary of Foreign Affairs of the Republic of the Philippines, and had for its guests, UN Secretary-General H.E. Kofi Annan, ECOSOC President H.E. Marjatta Ra the Secretary General of CARE International, Mr. Denis Caillaux, and the Vice-President of the International Center for Transitional Justice, Mr. Ian Martin. Members of the Security Council, a well as representatives from Australia, Bangladesh, Canada, Egypt, Ireland (on behalf of the European Union and associated States), Japan, Republic of Korea, Nepal, Peru, Senegal, Sierra Leone and Uganda participated in the deliberations.

The debate was based on the concept paper prepared by the Philippines (S/2004/ 442). Following were highlights of the discussions and a consolidated summary of recommendations a suggestions on how the United Nations in general, and the Security Council, in particular, could harness civil society participation in post-conflict peace-building:

I. Highlights of the Discussions

1. Secretary-General Kofi Annan called for a two-way dialogue between the United Nations and civil society, to ensure that their respective efforts complement each other. The Council shou not view the inputs by civil society as an attempt to usurp its role, but as a way to add quality and value to its decisions and ensure their effective implementation. He also emphasized the need for civil society involvement in the deliberative processes of all peace-building initiatives, and at the same time, urged civil society to seek to reduce the influence of forces promoting exclusionary policies or violence. The Secretary-General invited the Council Members to pay attention to the report of the Panel of Eminent Persons on UN relationship with civil society.[1]

2. The ECOSOC President, H.E. Marjatta Rasi, said that "civil society organizations (NGOs are increasingly an indispensable partner" of the ECOSOC in the area of rehabilitation and reintegration at the local level, human rights, the rule of law, health and other social programmes, physical infrastructure, and the environment. Civil society organizations (CSOs) have been helpi in implementing demobilization programmes, protecting children from involvement in armed conflict, and confronting problems caused by landmines, among others. She also reminded the

[1] The Report of the Panel of Eminent Persons, entitled, *"We the Peoples: civil society, the United Nations and global governance,"* (A/58/817) was released on 21 June 2004. The report has proposed a number of concrete measures to increase the participation of civil society, including practical suggestions on how the Security Council could effective engage with civil society, ranging from making use of the Arria formula to holding seminars on how issues of emergi importance, to convening independent commissions of inquiry after Council-mandated operations.

Council of the "wide responsibilities in relations to international cooperation for relief and development assistance" which the NGOs had to assume. She therefore encouraged international organizations and Governments to support NGOs in their efforts at relief and development assistance, as she also urged improving coordination between the actors through "information exchange, regular consultations and joint needs-assessments in the field." Ambassador Rasi underscored the need for a shared understanding of the longer-term commitments necessary for a transition from relief work towards post-conflict reconstruction and rehabilitation. She also called on the media to "serve as a social educator to defuse potential conflicts," and advocated the development of regional civil society networks.

3. The Secretary-General of *CARE International*, Mr. Denis Caillaux, offered the following concrete recommendations to harness UNSC-civil society relations as he described the various activities and experiences of CARE International on the ground: 1) for the Security Council to demonstrate its leadership by issuing a strong presidential statement that would express its commitment to engage civil society representatives, including women and children, in all phases of the peace processes; 2) create "Arria-Plus" formulas for civil society consultations, in accordance with the Cardoso Panel's findings; 3) establish a civil society forum for each peace process that would formalize existing *ad hoc* consultative practices with civil society sectors during peace processes; 4) institute the Arria formula in the field, in accordance with the Cardoso Panel's findings for a more systematic consultation process by Security Council missions with civil society experts in the field; 5) establish a "community observer programme for expert-level officers of Security Council member States;" and 6) request the Secretary-General to submit an action plan to the Council, with inputs from civil society organizations, on guidelines for conducting comprehensive analysis of the origins, the dynamics and actors related to each conflict.

4. Mr. Ian Martin, Vice President of the *International Center for Transitional Justice (ICTJ)*, shared lessons that ICTJ has learned in the filed, including the following: 1) there is a need to confront the past in order to build a just foundation for the future; 2) that there is no "one-size-fits-all" approach to post-conflict-peace-building; and 3) questions about peace-building initiatives have to "emerge from or resonate within civil society." The ICTJ has been advocating the adoption of the following measures to rectify past abuses, namely: a) criminal prosecution of perpetrators of serious crimes; b) establishing truth commissions; c) providing reparation packages, including, but not limited to, financial compensation; d) rigorous analysis of institutional culpability; e) efforts to reform institutions, including vetting of personnel; and, f) reintegration and reconciliation initiatives. He also underscored the need to establish the rule of law as a parallel peace-building strategy. Recalling the recommendations in the Cardoso Panel report, he advocated giving civil society organizations direct access to the Security Council, and to all Missions, including New York, and reiterated that civil society must be involved during negotiations, planning and implementation of a peace-settlement and post-conflict needs assessment.

5. Member states participating in the debate acknowledged that successful peace-building initiatives could be achieved through a comprehensive and multi-dimensional approach and with the active cooperation and broadest participation of all stakeholders, including civil society organizations. They also recognized the need to establish a mechanism or a strategy to foster the partnership between the United Nations and the CSOs.

6. Recognizing the significant contributions of civil society groups in peace-building, relief and humanitarian efforts, the Member States lauded the efforts of CSOs in providing grassroots information and early warning for conflict prevention, as well as in national reconstruction and rehabilitation. However, not all are convinced that the existing interaction between the Council and these organizations need to be "formalized" or "brought a step further".

7. Most Members supported the practice of holding the "Arria-plus formula" meetings, as well as enhancing and strengthening the effectiveness of such meetings. Some Members, however, cautioned about "formalizing" such meetings.

8. Member States welcomed the report of the Cardoso Panel and noted its specific recommendations to enable civil society organizations to participate in the planning and in the implementation stages of peace-building initiatives. They also recognized the need to enhance coordination and cooperation among the Security Council, the General Assembly, the ECOSOC and other UN bodies and institutions involved in conflict prevention and post-conflict peace-building.

9. Most Member States also agreed that for post-conflict peace-building initiatives to succeed, there is a need to include economic and social development in all reconstruction and rehabilitation plans.

10. Some Members likewise recognized the potential role of the religious sector in post-conflict peace-building.

II. Specific Suggestions and Recommendation from Member States

1. Establish a strategy/framework/mechanism for post-conflict peace-building

- There is a need to establish a solid conceptual and operational framework to strengthen the relationship between the Security Council and the civil society in the search for peace, reconciliation, justice, and social progress.

- A strategy of alliance between the UN and civil society actors in peace-building should be defined, but there is a need to proceed cautiously, in order to respect the initiative and independence of civil society. In defining such strategy, due consideration should be given to the following elements:
  a) identify specific points at which peace-building must necessarily mobilize civil society, e.g. re-integrating ex-combatants, preparing for elections, etc.;
  b) strengthen two-way communication between representatives of civil society and UN authorities in the field, especially in peacekeeping operations (including the possibility of a cross-cutting resolution that would develop a communications strategy in Security Council peacekeeping operations);
  c) for representatives of civil society to associate themselves earlier on with the policies that have been laid down by the UN, e.g. representatives of the economic circles of the country to attend donor conferences); and

d) involve civil society more closely in implementing UN reconstruction efforts (i.e. increase local recruitment by peace-keeping operations and develop linguistic capabilities in those operations).

- There is a need to build new relationships between the government service providers and communities (in all peace-building issues), where the civil society will have to be involved in the planning, implementation, and monitoring of community-based programmes.

- The UN should further develop a machinery to govern interaction with representatives of civil society organizations, and reflect civil society role/s in Security Council resolutions.

- There is a need to provide a comprehensive, integrated and coherent approach to post-conflict peace-building, with the participation of the civil society. Such an approach should be:
  a) comprehensive – both in scope and in implementation detail;
  b) integrated – in the sense that it recognizes the symbiotic relationship of legal, political, economic, social and cultural concerns:
  c) participative – taking into account the contributions from all stakeholders at the national and international level, and
  d) flexible – capable of adjusting to changing circumstances and developments.

- To effectively address the complex crises in their political, economic, and social dimensions, there is a need to establish a composite committee of the Security Council, the General Assembly, and the ECOSOC. A multi-dimensional approach to post-conflict nation-building should be established.

- There should be interactive interface among the relevant UN entities led by the Security Council, and the local, national, and international actors and stakeholders working in synergy with one another.

- It is important for the United Nations to have a clearer view of its relations with the CSOs. The UN should base its engagement with the CSOs on policies, mechanisms, and procedures that are coherent, consistent, and predictable.

- There is no "one-size-fits-all" model of governmental, inter-governmental and civil society interaction. However, the Security Council may tailor such activities on a case-by-case basis, weaving them into individual peacekeeping mandates.

2. ***Maintain governmental/intergovernmental and civil society communication and coordination***

- There is a need to define the United Nations' broad parameters for common action in the field of peace-building, as well as to rethink and redefine the cooperation between governmental and non-governmental organizations during the peace-building phase, through clear sharing of their roles and responsibilities.

- There is a need to establish close relations and healthy cooperation among all actors in the peace-building process and to encourage CSOs to provide moral support for the population and the local structures. There is also a need to establish communication and sustain coordination between CSOs and the UN system at the field level, especially in the monitoring and evaluation, identifying best practice approaches, as well as in providing early warning signals.

- The United Nations should start discussions on how to deal effectively with the challenges of peace-building with the participation of the civil society. The Security Council must seek opportunities for consideration, for action, with principal organs of the UN, e.g. General Assembly, the ECOSOC, and the Secretariat. There is also a need to strengthen links between the CSOs and the ECOSOC and its *ad hoc* advisory bodies.

- There is a need to deepen dialogue between the Security Council and the CSOs through informal means. Constructive dialogue with Security Council Missions in the field should be encouraged. There is also a need to establish positive dialogues between representatives and Special Envoys of the Secretary General and the UN Resident Representatives with members of the CSOs. Early warning from the field and dialogue on an ongoing basis in the field between the CSOs and UN are vital. The NGO Working Group on Security Council, for instance, is a useful forum for debate.

- There should be systematic consultations with CSOs through: a) assessment teams preparing new peace operations; b) regular consultative meetings between CSOs and the highest UN representative; c) establishment of an NGO coordinator at the senior level in the UN field presence; d) instruction of incoming UN mission leaders and personnel by local civil society leaders with regard to in-country norms and cultural traditions; e) transparent and factual information on mission activities and funding in national languages so that civil society may effectively interact with UN Missions.

- CSOS can work in tandem with UN agencies on the ground, especially in peacekeeping missions operating under the Security Council mandate, help with the safe return of displaced populations, demobilization and reintegration of former combatants, assistance for economic and social progress and re-establishing the rule of law.

- The international community can assist local communities and individuals in designing programmes by providing capacity-building services and access to financing and by establishing legal entities such as cooperatives.

- CSOs should complement the efforts of the international community in helping post-conflict countries. CSOs should support the central roles of the UN, assist in the implementation of relevant Security Council resolutions, enhance coordination and cooperation with various UN agencies, and offer ideas and advice on how to accelerate peace and reconstruction.

- In the actual peace-building phase, there is a need to start with the design of the project blueprint. CSOs and the UN can assist in providing relief, health, education, and other

public services; spur economic revival and social recovery; promote advocacy of human rights, ethics and the rule of law in catalyzing total human development. CSOs can also assist in identifying, understanding, and addressing the root causes of conflict, and, in helping formulate collaborative reconstruction strategies.

3. ***Include economic and social development in post-conflict peace-building***

- The CSOs should generate equitable social and economic development in countries and regions affected by conflicts for effective and sustainable peace-building.

- The CSOs should also assist in economic reconstruction and sustainable development. Since CSOs have the advantage in resources, expertise, and skills, they can contribute in providing humanitarian relief, promoting the administration of justice, and advocating national reconciliation. They can also mobilize international support to help countries in conflict areas develop their economies, eradicate poverty, increase employment, restore infrastructure and enhance national and local capacity-building.

- There is a need to design strategies, locally and regionally, that aim to strengthen private organizations and CSOs build their capacity for more effective collaboration and to develop mechanisms for participation in all stages and processes related to peace-building.

4. ***Further enhance and develop creative and cooperative relationships among civil society, Security Council and the UN system as a whole***

- Conduct series of Security Council seminars to discuss issues of emerging importance to the Council, particularly more relevant in the context of the Council's consideration of generic peace-building issues.

- New York delegations and country experts should spend some time in the field.

- Develop a country approach and interaction between the Security Council and the national level.

- Ensure synergy among various actors of civil society and other actors by providing a division of labor based on the comparative advantages of the various groups.

- Security Council peacekeeping mandates should clearly stipulate the role/s commensurate with the potentials of the CSOs.

- CSOs should ensure that national reconciliation is a priority through truth and reconciliation commissions.

5. *Following the recommendation of the Cardoso Panel Report*

- There is a need to embark on a complete overhaul of the Security Council's peacekeeping approach, including ways to broaden and strengthen the effective contribution of the civil society in that process, by drawing inspiration from some of the recommendations of the Cardoso Panel.

Make use of the Arria-formula type of meetings

- Improve the planning, effectiveness and better use of the Arria-formula meetings, but avoid making such meetings more formalized, which could prove cumbersome than beneficial.

- The Security Council should meet regularly with appropriate local civil society leaders and representatives of the civil society. There is a need to conduct "Arria-plus" meetings on the ground (e.g. Council's Mission to West Africa), and the need to redesign Security Council Missions to the field by having smaller, but more frequent missions.

- The Security Council can guide the further development of a peace-building doctrine through its debates and resolutions. Civil society can help through the Arria-formula meetings, open debates, seminars and informal interaction.

Correct the representational imbalance of CSOs

- The international community should pay more attention to CSOs in the developing countries and to encourage them to participate more actively. There is a need to establish a fund aimed at strengthening the capacity of civil society in countries in the South as recommended by the Cardoso Panel, in order to correct the representational imbalance between the CSOs from the North and the South.

- There is also a need to improve the capabilities and resources of CSOs in countries emerging from conflicts as a prerequisite for rectifying inequalities between CSOs in the North and the South.

Independent commissions of inquiry

- There is a need to convene independent commissions of inquiry following UN operations mandated by the Council (e.g. a global public policy committee), that would connect national foreign affairs committees to serve as such into a commission.